

In the Senate of the United States,

July 25, 1996.

Resolved, That the bill from the House of Representatives (H.R. 782) entitled “An Act to amend title 18 of the United States Code to allow members of employee associations to represent their views before the United States Government.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Federal Employee Rep-*
3 *resentation Improvement Act of 1996”.*

4 ***SEC. 2. REPRESENTATION BY FEDERAL OFFICERS AND EM-***
5 ***PLOYEES.***

6 *(a) EXTENSION OF EXEMPTION TO PROHIBITION.—*
7 *Subsection (d) of section 205 of title 18, United States Code,*
8 *is amended to read as follows:*

9 *“(d)(1) Nothing in subsection (a) or (b) prevents an*
10 *officer or employee, if not inconsistent with the faithful per-*

1 *formance of that officer's or employee's duties, from acting*
 2 *without compensation as agent or attorney for, or otherwise*
 3 *representing—*

4 “(A) *any person who is the subject of discipli-*
 5 *nary, loyalty, or other personnel administration pro-*
 6 *ceedings in connection with those proceedings; or*

7 “(B) *except as provided in paragraph (2), any*
 8 *cooperative, voluntary, professional, recreational, or*
 9 *similar organization or group not established or oper-*
 10 *ated for profit, if a majority of the organization's or*
 11 *groups's members are current officers or employees of*
 12 *the United States or of the District of Columbia, or*
 13 *their spouses or dependent children.*

14 “(2) *Paragraph (1)(B) does not apply with respect to*
 15 *a covered matter that—*

16 “(A) *is a claim under subsection (a)(1) or (b)(1);*

17 “(B) *is a judicial or administrative proceeding*
 18 *where the organization or group is a party; or*

19 “(C) *involves a grant, contract, or other agree-*
 20 *ment (including a request for any such grant, con-*
 21 *tract, or agreement) providing for the disbursement of*
 22 *Federal funds to the organization or group.”.*

23 (b) *APPLICATION TO LABOR-MANAGEMENT RELA-*
 24 *TIONS.—Section 205 of title 18, United States Code, is*
 25 *amended by adding at the end the following:*

1 “(i) *Nothing in this section prevents an employee from*
2 *acting pursuant to—*

3 “(1) *chapter 71 of title 5;*

4 “(2) *section 1004 or chapter 12 of title 39;*

5 “(3) *section 3 of the Tennessee Valley Authority*
6 *Act of 1933 (16 U.S.C. 831b);*

7 “(4) *chapter 10 of title I of the Foreign Service*
8 *Act of 1980 (22 U.S.C. 4104 et seq.); or*

9 “(5) *any provision of any other Federal or Dis-*
10 *trict of Columbia law that authorizes labor-manage-*
11 *ment relations between an agency or instrumentality*
12 *of the United States or the District of Columbia and*
13 *any labor organization that represents its employ-*
14 *ees.”.*

Attest:

Secretary.

104TH CONGRESS
2^D SESSION

H. R. 782

AMENDMENT